

## **KENTUCKY REAL ESTATE APPRAISERS BOARD**

### **TYPE OF MEETING**

Regular Meeting

### **DATE AND LOCATION**

April 24, 2009 – Board Office

### **PRESIDING OFFICER**

Paul Moore, Vice Chair

### **ROLL CALL**

Present:

Paul Moore, Vice Chair  
Loren Huff, Board Member  
Sam E. Blackburn, Board Member  
G. Herbert Pritchett, Board Member

Present Also:

Larry Disney, Executive Director  
Angie Thomas, Staff Assistant  
James Grawe, Board Counsel  
Tom Veit, Investigator

Absent:

Dorsey Hall, Chair

Vice Chair, Paul Moore opened the meeting by welcoming the guest. The guests in attendance were Michael Lawrence and Andy Peak.

Motion by Sam Blackburn, second by Herbert Pritchett and the Board unanimously approved the March 27, 2009 minutes with noted change.

### **EDUCATION**

Motion by Herbert Pritchett, second by Sam Blackburn and the Board unanimously agreed to approve the following education courses for fiscal year 2008-09:

- A. Appraisal Institute – Bluegrass Chapter – One (1) continuing education course:
  - (1) Effective Appraisal Writing – 7 hours CE credit

## **EXPERIENCE**

Motion by Sam Blackburn, second by Loren Huff and the Board unanimously agreed to accept staff recommendation and approve the following experience:

- (1) Jeremy Grimes – Approve for Certified Residential
- (2) Scott Rousey – Approve for Certified Residential

Motion by Herbert Pritchett, second by Sam Blackburn and the Board unanimously agreed to accept the staff recommendation and reject the following experience:

- (1) David Waller – Reject experience for Certified Residential. Request that he and his supervisor contact Larry Disney to discuss appraisal report.

## **CERTIFICATION/LICENSURE**

Motion by Sam Blackburn, second by Loren Huff and the Board voted to approve a total of nine (9) individuals for certification/licensure.

- (1) David G. Beach - Associate
- (2) Donna J. Cavallaro –Certified General –Reciprocal with Maine
- (3) Kathleen D. Donahue – Certified General – Reciprocal with Texas
- (4) Jeremy Grimes – Certified Residential
- (5) William J. Hatfield - Associate
- (6) John Mackris – Certified General – Reciprocal with Illinois
- (7) Pamela R. McGlone - Associate
- (8) Rebecca L. Music – Certified Residential – Reciprocal with Ohio
- (9) Scott Rousey – Certified Residential

A. Gregory Barr – At the March meeting the Board requested a background check.

Motion by Herbert Pritchett, second by Loren Huff and the Board agreed that Mr. Barr may proceed with the application process for an Associate license.

## **COMPLAINT**

- A. Tom Veit – Report on the contractor activities
- B. The Board was advised there have been a total of 24 cases filed for 2009.
- C. Larry Disney advised the Board all cases one year and over must be closed within the next 90 days if at all possible.
- D. Cases:
  - (1) Case No. 08-14 – Grievant: KREAB  
Respondent: Jason Ferris  
Motion by Sam Blackburn, second by Loren Huff and the Board unanimously agreed to accept the agreed order, whereby:

- (a) **Ferris** shall complete a 7 hour Appraisal Institute "Online Scope of Work; Expanding Your Range of Services" course. Said 7 hours of education shall be in addition to the regular continuing education requirement of 201 KAR 30:050 Section 7. The course work required herein shall be completed by July 1, 2009.
- (b) **Ferris** shall be fined the sum of \$200.00 with total amount due with the signed agreed order.

(2) Case No. 08-43 – Grievant: Joe D. Weddington - Motion by Sam Blackburn, second by Loren Huff and the Board agreed to dismiss the case without prejudice with leave to reinstate should respondent ever request reinstatement for a Kentucky appraiser license.

(3) Case No. 08-44 – Grievant: Joe D. Weddington - Motion by Sam Blackburn, second by Loren Huff and the Board agreed to dismiss the case without prejudice with leave to reinstate should respondent ever request reinstatement for a Kentucky appraiser license.

(4) Case No. 08-50 – Motion by Herbert Pritchett, second by Sam Blackburn and the Board agreed to file a formal complaint and set the case for a hearing.

(5) Case No. 08-55 – Motion by Herbert Pritchett, second by Sam Blackburn and the Board agreed to file a formal complaint and set the case for a hearing.

(6) Case No. 08-12 – Grievant: KREAB

Respondent: Jarrett J. Hardesty

Motion by Herbert Pritchett, second by Loren Huff and the Board agreed to accept the agreed order, whereby:

- (a) **Hardesty** shall complete a 7 hour Appraisal Institute Online Scope of Work: Expanding Your Range of Services course. Said 7 hours of education shall be in addition to the regular continuing education requirement of 201 KAR 30:050 Section 7. The course work required herein shall be completed by July 1, 2009.
- (b) **Hardesty** shall be fined the sum of \$300.00 with total amount due with the signed agreed order.

(7) Case No. 08-45 and 08-46 – Motion by Sam Blackburn, second by Herbert Pritchett and the board agreed to dismiss against Appraiser 1 – Russell Estes and file a grievance against Appraiser 2.

(8) Case No. 07-34, 07-42, 08-13 – Grievant: KREAB

Respondent: Marshall Flynn

Motion by Sam Blackburn, second by Loren Huff and the Board agreed to accept the agreed order, whereby:

- (a) Flynn hereby agrees that his Certified General Real Property Appraiser Certificate is hereby SUSPENDED effective upon entry of this Agreed Order by the Board. The SUSPENSION shall remain in place for a period of no less than two (2) years, but in no event shall the suspension be lifted until Flynn successfully completes the requirements set forth in paragraph (b).
- (b) Flynn also agrees that the suspension of his certificate shall not be lifted until he shows proof that he has meet the educational requirements of 201 KAR 30:190 and passed the examination required by 201 KAR 30:050 Section 1.

## **APPEARANCE**

James DeRossett appeared before the Board to discuss his reasoning for non-renewal of his appraiser license. Mr. DeRossett did not renew his Kentucky license by June 30, 2008. Mr. DeRossett was required to complete 22 hours of CE and submit an experience log to the board as required by an agreed order for Case No. 05-83. All requirements of the agreed order were not met by the required date, therefore a hearing was held and the Board fined Mr. DeRossett for not completing the agreed order requirements. The final order stated that if the fine was not received within 30 days of the final order, Mr. DeRossett's license will be suspended. Mr. DeRossett stated that he did not receive the first notification and the second notification was received after the license was not renewed.

The Board agreed to advise Mr. DeRossett that he will have to pay the fine in reference to the final order and meet all the 2008 requirements for licensing.

## **MISCELLANEOUS**

- A. The Appraisal Subcommittee Hires Executive Director – Jim Park
- B. Lexington Seminar Evaluations and Test Results
- C. Budget Ending March 31, 2009
- D. Case Summary Flowchart
- E. Hiring temporary service through Kelly Services on an as needed basis – Motion by Herbert Pritchett, second by Sam Blackburn and the Board approved the hiring of temporary service.
- F. Directors and Liability Insurance – Motion by Sam Blackburn, second by Loren Huff and the Board approved the new policy and premium.
- G. Report on Department of Financial Institution Meeting on April 16, 2009
- H. Open Cases
- I. Letter from George K. Cox
- J. AARO Conference – Larry reported that Kentucky has an excellent reputation and he was pleased with the direction of the Board.
- K. Sam Blackburn advised the Board the AQB has received a grant for Larry Disney and Dennis Badger to go to other States and offer an investigator training session. Sam stated that this was a great compliment to Kentucky.
- L. Discussion on the advisory of White Pages.
- M. A discussion was made on the Advisory to Appraisers concerning AMC. Herbert Pritchett stated that he felt that the Board should publish an advisory. Herbert also stated that it appears to not be a consensus of the Board. The Board agreed that with some changes to the advisory that they would attempt to give guidance. Jim Grawe will review the document and make recommendation.

## **Bids Received for Personal Service Contracts for Fiscal Year 2009-2010**

- A. Legal Services – One Bid Received
  - (1) Wilson Law Firm – Marvin Lee Wilson

Motion by Sam Blackburn, second by Loren Huff and the Board accepted the bid.

B. Hearing Officer – Seven bids received

- (1) Ray Edelman – Attorney at Law
- (2) The Law Offices of Darren L. Embry, PSC
- (3) Vaughn Murphy, PLLC
- (4) The Law Office of Kim Hunt Price, PLLC
- (5) Thomas J. Hellman – Attorney at Law
- (6) Mike Wilson – Attorney at Law
- (7) Cheryl Neff – Attorney at Law

The Board will review the bids and make the decision by May 14, 2009.

C. Testing – One bid received

- (1) AMP - \$98.00 per candidate

Motion by Herbert Pritchett, second by Sam Blackburn and the Board accepted the bid.

D. Distance Education Administrator – No bids

7. New Business – No Inserts

- A. Hearing – Thursday, May, 14, 2009 – 9:00 a.m. – Board Office
- B. **May Board Meeting** – Friday, May 22, 2009 – 9:00 a.m. – Board Office
- C. **June Board Meeting** – Friday, June 12, 2009 – 9:00 a.m. – Board Office.
- D. Hearing – Monday-Thursday, July 13-16, 2009 – 9:00 a.m. – Mark Mitchell
- E. **July Board Meeting** – Friday, July 24, 2009 – 9:00 a.m.

The next Board meeting is scheduled for Friday, May 22, 2009 – 9:00 a.m. at the board office.

Motion by Sam Blackburn, second by Loren Huff and the Board voted unanimously to adjourn the meeting.

  
Chair

  
Staff Assistant